

Frequently Asked Questions – 2000 Holiday Closure

How the 9/80 Schedule Will Work During Closure

Q. Will the standard 9/80 work schedules remain in effect through the holiday closure?

A. Yes. To eliminate inconsistencies between Schedules A and B in terms of the amount of mandatory vacation used during the closure, a proposal was made to return the entire workforce to the 5/40 schedule during the closure. However because of strong negative reactions from employees who commented on the proposal, and other business considerations, the standard 9/80 workweek will remain in effect.

Q. How should employees charge their time during closure?

A. The following table illustrates the typical Time and Effort entries.

| | 12/25 | 12/26 | 12/27 | 12/28 | 12/29 |
|---|----------------------|--------------------------|-------------------------|-------------------------|-------------------------------|
| Schedule A | | | | | |
| Exempt | 8H/1DA ¹ | 8H/1 DA ¹ | 9 V or VG ² | 9 V or VG ² | (Regular |
| Nonexempt | 8H/1V | 8H/1V or VG ² | 9 V or VG ² | 9 V or VG ² | Friday off. No T&E entry.) |
| Schedule B | | | | | |
| Exempt | 8H/1 DA ¹ | 8H/1 DA ¹ | 9 V or VG ² | 9 V or VG ² | 8 V or VG ² |
| Nonexempt | 8H/1V | 8H/1V | 9 V or VG ² | 9 V or VG ² | 8 V or VG ² |
| 5/40, Exempt and Nonexempt | 8H | 8H | 8 V or VG ² | 8 V or VG ² | 8 V or VG ² |
| 4/10 | | | | | |
| Exempt | 8H/2 DA ¹ | 8H/2 DA ¹ | 10 V or VG ² | 10 V or VG ² | (Regular |
| Nonexempt | 8H/2 V | 8H/2 VG ² | 10 V or VG ² | 10 V or VG ² | Friday off. No T&E entry.) |

¹ Discretionary Absence (DA) is a cost accounting code that is used only by exempt employees when an absence of 2 hours or less cannot be made up. Exempt employees charge leave in half-day increments.

² Vacation Grant (VG) is available to those who accepted an offer of employment on or after December 2, 1992 and have less than 10 years of service.

Q. How does the 9/80 schedule affect the amount of “Vacation Grant” that an employee receives?

A. The contract between the University of California and the DOE allows the Laboratory to grant an employee who accepted an offer of employment on or after December 2, 1992 up to 3 days of vacation during closure week. Those days are not limited to 8 hours. Depending on what work schedule an employee is on a “day” of vacation grant may be anywhere from 1 to 10 hours.

Q. If 9/80 is the standard schedule, why does the Laboratory only pay employees for 8 hours on holidays?

A. Employees receive eight hours of pay for each holiday for two key reasons. First, it is equitable and efficient as we have employees on several different schedules, i.e., 9/80, 5/40 and 4/10. It would hardly be fair to give employees on a 5/40 schedule eight hours holiday pay while giving nine hours to those on a 9/80 schedule. Nor would it be practicable to provide each employee with a different amount of holiday pay depending on whether they were on a 5/40, 9/80 or 4/10 schedule during the week in question. Second, it is not financially feasible simply to increase the holiday allotment to nine hours pay per holiday. That would mean that all employees would receive an extra day and one-half of holiday pay each year (12 holidays multiplied by one hour each holiday). The introduction of 9/80 was never intended to increase the percentage of the payroll devoted to non-work time.

Q. Since we only get 8 hours for holidays, and we have in the past been required to make the 9th hour up during that week, how are we to make 2 hours up for the 25th and 26th? And can we make it up the week we return?

A. Normally, both exempt and nonexempt employees must make up the extra hour during the same week. Since the Laboratory is closed for the entire week, that will not be possible. Exempt employees should report DA, as shown in the table above. Nonexempt employees have several options for accounting for the extra hour(s) that are not paid as holiday pay. The first is to use their accrued vacation, as shown above. If an employee does not wish to use his/her accrued vacation, with supervisor approval, he or she may take leave without pay. Because that option would result in the employee receiving a smaller paycheck for the closure week, with supervisor approval employees may work extra in the week preceding or following the closure. ***Note: Making up time in a different week may result in the employee receiving overtime compensation for the week in which the extra time is worked. Supervisors are encouraged to be as flexible as possible in granting this option.***

Another option would be for the non-exempt employee to change to a 5/40 schedule.

Q. Can I switch from Schedule B to Schedule A or from a 9/80 schedule to a 5/40 schedule during the holiday closure?

A. Yes. With the appropriate approvals, employees and contractors who wish to do so may switch schedules without the change counting against the limit of four changes per calendar year. For example, an employee on Schedule B may change onto Schedule A in December without the change counting against the four changes allowed in 2000. Similarly, the employee may switch back to Schedule B in January without the changes counting against the four changes allowed in 2001. Similarly, an employee could switch from Schedule A or B to a 5/40 schedule in December and back to the original schedule in January without the change counting against the four changes allowed per year. Note that the changes must be effective for two pay periods, which will affect the number and timing of the Fridays the employee is off.

Q. If I choose to switch my 9/80 schedule for the holiday closure, when should I do so?

A. Employees who wish to change schedules for the winter closure period must make their changes effective for two full pay periods, that is from Dec. 11 through Jan. 7 or from Dec. 25th through Jan. 21st.

Q. If approved by our manager can we switch from the 9/80 B schedule to a 4/10 schedule.

A. No. A 4/10 schedule should not be approved because of the holiday closure. Such schedules may only be approved for programmatic or operational necessity, not solely for employee convenience. Division Directors should evaluate such proposals carefully and approve them only when there is substantial advantage to the Laboratory.

Vacation

Q. What if an employee doesn't have the amount of vacation required for the closure and doesn't qualify for the vacation grant?

A. If enough vacation has not been saved, an employee can borrow from the 2001 accrual. Employees can also use leave without pay, with their group-level manager's approval.

Q. I have heard of employees receiving a vacation grant for this period. How is one obtained?

A. Vacation grants are only given to employees who accepted an offer of employment on or after December 1, 1992, and who have less than 10 years of service, when they charge 3 days of closure to vacation time. The time and effort entry for these days is to time code "VG" for vacation grant. No special approvals are required.

Q. What happens if an employee who accepted an offer of employment on or after December 1, 1992, and who has less than 10 years of service is asked to and actually does work on the days designated for vacation grant or reports any time and effort code other than vacation grant?

A. The vacation grant is only made to employees who report vacation grant time. Employees who work are paid for time worked. Similarly, employees who report attendance on December 27th, 28th, and 29th as anything other than VG (sick leave or leave without pay, for example) do not receive the grant.

Q. If an employee does not use the vacation grant during closure, either because s/he is on another type of leave or is required to work, can the vacation grant be used at another time of the year?

A. No. The grant can only be used during the closure when employees are required to take vacation. An unused grant is not added to employees' accrued vacation and cannot be used at another time.

Q. Has there been any change to the UC policy that exempt employees must take vacation pay in 1/2 day increments?

A. Currently there is no plan for this change.

Leave Without Pay

Q. Can an employee take leave without pay instead of vacation during closure?

A. Yes, with the group-level manager's approval.

Q. If an employee is on leave without pay during closure, will s/he get holiday pay?

A. Yes, provided the employee is in pay status on either Friday, December 22nd, the last scheduled workday before closure or Tuesday, January 2nd, the first scheduled workday after closure.

Sick Leave

Q. If an employee is on sick leave before closure, will vacation be charged during closure?

A. No, provided the medical condition of the employee during closure warrants the use of sick leave and the group-level manager approves. See [AM 313](#) for more information.

Q. If an employee becomes ill during closure, can the days of vacation be changed to sick leave?

A. Laboratory policy permits changing vacation to sick leave if the employee has a "disabling injury or illness." See [AM 312.15](#) . Managers may require proof of illness.

Other Leaves

Q. If an employee was injured at work and has been reporting his time as one of the I codes, should his time be changed to vacation for the 3 days the Laboratory is closed?

A. No, continue to report this employee's time with the appropriate I code for the time of closure as long as he remains eligible during that period.

Q. An employee has National Guard duty during closure. How is this time reported?

A. Report this time as Military Leave if the employee is eligible as described in [AM 317](#) . Otherwise the absence must be reported as V (VG if the employee is eligible) or LWOP.

Part-Time Employees

Q. I have a part-time employee whose work schedule does not include Wednesday. Would the employee's vacation balance be charged for Wednesday, December 27th? What if one of the holidays is not a day a part-time employee is normally scheduled to work?

A. It is best to report the hours during closure as though the part-time employee were scheduled to work the same number of hours every day. For example, if an employee appointed at 50% normally works 8 hours on Monday and Tuesday, and 4 hours on Wednesday, the employee's schedule during the closure would change to 4 hours each day. The employee will receive 12 hours holiday pay for the 3 Laboratory holidays and be charged 16 hours vacation for the 4 days of the closure period. Remember that part-time employees are paid for holidays according to their appointment percentage, not according to how many hours they normally work.

Work During Closure

Q. May I require an employee to remain in work status during the closure to perform essential functions?

A. A few essential functions will need to be maintained during the closure. Essential work performed during closure requires the written approval of the division-level manager in advance. (Note that the written approval remains in the employee's group office files; do not send it to the Payroll Team.)

Q. One of my employees is on change of station and the organization to which the employee is assigned will be on a normal work schedule. Must the employee take vacation?

A. An employee on change of station who is required to perform essential duties for the host organization during the period of closure should obtain the same advance written approval of the division-level manager described in the Work During Closure section below.

Q. Can an employee choose to come to work while on vacation or leave without pay?

A. Nonexempt employees are prohibited from working on site or at home during the closure unless an exception has been granted in writing before closure begins by the division-level manager to permit the employee to provide essential services. These employees are removed from leave status and are paid for all time worked on a nonholiday during the closure. If a nonexempt employee will require the removal of Laboratory equipment during the closure, written approval must also be obtained from the Director for Human Resources (DHR). Exempt employees may work off site but must receive prior division-level manager approval in writing to be paid for this time rather than charging the employee's leave balance or reporting the time as leave without pay. Exempt employees are asked to refrain from working on site, except to perform essential functions as noted above.

Q. Will employees who are approved to work during closure receive extra pay?

A. Work performed on December 27th, 28th, and 29th will be paid as a normal workday; employees will not receive extra pay for work performed on those days. Nonexempt who work on December 25 or 26 or on January 1 will receive holiday pay in accordance with [AM 305.13](#). Exempt employees will not receive additional compensation for holidays worked. Note that employees who are eligible for the vacation grant but who work during closure do not receive the grant.

Q. Can an employee go on official travel during the closure?

A. Travel during the closure should be limited to exceptional cases, such as required attendance at a previously scheduled meeting or serving as an invited speaker at an announced conference. The appropriate division-level manager must approve any exception in advance. In addition, foreign travel requires the usual Department of Energy approvals.

Q. Someone from our group must be on call during closure in case of emergencies. Can I require an employee who is on vacation to be on call?

A. Yes, if it is essential that employees be available to handle emergencies. The procedures described in [AM 308](#) for approving on-call status and reporting on-call hours still apply.

Special Program Employees, Contract Workers, and Other Personnel

Q. I have scheduled a GRA in my group to work during the semester break. Can this person work during the closure period?

A. Special Program employees have the same restrictions for working during the closure as other employees depending on their exempt or nonexempt status. Exceptions may be granted by the division-level manager as described in the previous section, “Work During Closure.”

Q. My group uses the services of people who work for contractors. May these people continue to work during closure?

A. A contract worker may only perform work for the Laboratory during the closure if s/he performs functions essential to the Laboratory and has received approval to work before the closure. Contact the Staffing Alternatives Team at 7-2299 for approval procedures.

Q. Can a Laboratory Consultant receive payment for work during the closure?

A. Laboratory Consultants may be paid for work performed off site during closure but may not work on site.

Q. Can Guests, Student Guests, or Official Visitors perform work during the closure?

A. Guest Scientists, Student Guests, and Official Visitors may work during the closure but are prohibited from working on site.

Last Workday Before Closure

Q. Can I allow my employees to leave early on the last day before closure?

A. The normal rules for absences and leaves apply on the day before closure. Employees are expected to work to the end of their scheduled workday unless the supervisor approves vacation, leave without pay, or for nonexempt employees, a personal reschedule.

Payday During Closure

Q. How will employees be paid on the payday that falls on December 28th?

A. Those employees who have direct deposit will be paid in the normal fashion. Employees who normally receive a paycheck delivered to their Mail Stops can pick up their paychecks at the SM-30 Warehouse Mail Center on December 28th from 6 a.m. until 2 p.m. To receive a check, employees must present a Laboratory badge or another photo ID and must sign to indicate that they have received the check. An employee cannot pick up another employee's check. Each employee must appear in person. Checks that are not picked up on December 28th will be delivered to Mail Stops on Tuesday, January 2nd. To avoid any inconvenience, employees who have been thinking about starting it are encouraged to sign up for direct deposit at the Payroll Team office as soon as possible.

Useful Contacts and Phone Numbers

Q. Who can I call if I have questions that were not answered in this memo?

- For payroll-related questions, call the Payroll Team at 7-4594.
- For questions about policy or other procedures, call the HR Generalist assigned to your division or the Staff Relations Group at 7-8730.
- For questions about benefits and insurance coverages that apply during closure, call the Benefits Team at 7-1806.
- For questions on Special Program employees, call the Student Programs at 7-3201.
- Questions about Laboratory Consultants may be directed to the Special Procurement Services Team at 5-1588.
- For questions about contract personnel, call Contract Personnel Services at 7-2299.